

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

ALLEN MILLER,
Plaintiff

3:09-CV-1413-KI

vs.

ORDER

MICHAEL J. ASTRUE,
Commissioner of Social Security,
Defendant

It hereby ORDERED that attorney's fees in the amount of \$5,990.09 pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d), shall:

- (1) Be awarded to Plaintiff pursuant to Astrue v. Ratliff, __ U.S. __ (2010), 130 S.Ct. 2521 (2010) and delivered to Plaintiff's counsel, Merrill Schneider; however,
- (2) If the U.S. Department of the Treasury determines that Plaintiff's EAJA fees are not subject to any offset allowed under the Department of the Treasury's Offset Program, then the check for EAJA fees shall be made payable to Plaintiff's attorney, Merrill Schneider, based upon Plaintiff's assignment of these amounts to him.

There are no costs or expenses to be paid herein.

DATED this 20th day of April, 2011.

/s/ Garr M. King
Garr M. King
United States District Judge